

**THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**UNITED STATES OF  
AMERICA**

**v.**

**DANIEL REY SETTLE**

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**NO. 3:21-cr-00054-N**

**MOTION TO WITHDRAW AND APPOINT APPELLATE COUNSEL**

**COMES NOW, DANIEL REY SETTLE**, Defendant in the above styled and numbered cause and would show the Court as follows:

**I. BACKGROUND**

The undersigned counsel was appointed to represent Mr. Settle. After his conviction at trial Mr. Settle consulted Erin Kelley regarding his appeal. Mr. Settle was unable to retain Ms. Kelley but she advised counsel that she would be willing to accept the CJA appointment in this matter to represent Mr. Settle on appeal. Mr. Settle has requested that the undersigned counsel withdraw from representation and that counsel request that the Court appoint Ms. Kelley pursuant to the CJA. Ms. Kelley is a member of the CJA Panel in the Northern District of Texas.

**II. DEADLINES**

Daniel Settle was sentenced on February 26, 2024. On March 4, 2024 the Court entered judgment in this matter. Mr. Settle's deadline to file his notice of appeal is within 14 days after entry the written judgment. *See Fed. R. Crim P. 4(b)(a)(1)*.

**III. MOTION TO WITHDRAW**

**MOTION TO WITHDRAW AND APPOINT APPELLATE COUNSEL**

Mr. Settle moves this Court for its order permitting Russell Wilson II to withdraw as counsel for Mr. Settle. Mr. Settle further moves for the appointment of CJA counsel for the purposes of appeal to the Fifth Circuit. Mr. Settle request that the Court appoint Erin Kelley as CJA counsel.

#### IV. COMPLIANCE WITH LOCAL RULES

Pursuant to Local Rule 57.12(a), Mr. Settle's signature below affirms that Mr. Settle has requested the relief sought in this motion and that he approves of the motion to withdraw and appoint appellate counsel.

Respectfully submitted,  
/s/Russell Wilson II  
RUSSELL WILSON II  
Texas State Bar No. 00794870  
The Law Offices of Russell Wilson II  
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Dallas, Texas 75201  
469-573-0211  
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Attorney for Defendant  
**DANIEL REY SETTLE**

I affirm that I have reviewed the motion to withdraw and appoint appellate counsel and that I am requesting the relief sought in the motion.

  
\_\_\_\_\_  
Daniel Settle

**CERTIFICATE OF SERVICE**

This is to certify that on March 4, 2024, a true and correct copy of the above and foregoing document was served on all parties via ECF.

/s/Russell Wilson II  
RUSSELL WILSON II